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January 26, 2015

Via Overnight Delivery & ECF

Honorable Robert E. Gerber
United States Bankruptcy Judge
United States Bankruptcy Court
One Bowling Green
New York, New York 10004

Re: *In re Motors Liquidation Company (Case No. 09-50026 (REG))*
Groman v. General Motors LLC (Adv. Pro. No. 14-01929 (REG))

Dear Judge Gerber:

We are co-counsel, together with Wolf Haldenstein Adler Freeman & Herz LLP ("**Wolf Haldenstein**"), to plaintiffs in the above-captioned adversary proceeding (the "**Groman Plaintiffs**"). By Administrative Order Re Oral Argument and Related Matters dated January 13, 2015 (the "**Administrative Order**"), the Court has scheduled oral argument on the Motion to Enforce on February 4, 2015 and, to the extent necessary, February 5 (the "**Motion to Enforce Hearing**"). On December 16, 2014, the Groman Plaintiffs filed, with the Court's permission, their Response to That Part of New GM's Opening Brief Regarding the "Fraud on the Court Legal Standard." [Dkt. No. 13028]. Our response addressed certain issues which we believed would be helpful to the Court on the issue of the proper legal standard applicable to fraud on the court.

Pursuant to Paragraph 3 of the Administrative Order, we hereby respectfully seek to reserve the right to address the Court briefly at the Hearing after Designated Counsel, counsel for the pre-bankruptcy personal injury victims, counsel for the GUC Trust, and counsel for the Unitholders have presented their respective oral arguments, and/or on rebuttal after New GM argues. Should we conclude that issues have been adequately addressed by respective counsel in their preceding arguments, we would waive our right to address the Court. We have conferred with Designated Counsel about this request, and they do not support it.

The Groman Plaintiffs seek to be allotted ten minutes if we believe it is necessary to address any non-redundant, material points that may arise concerning the subjects of (i) the legal standard applicable to the Fraud on the Court Threshold, and (ii) issues relating to Disputed Facts that were submitted to the Court in connection with the briefing. The arguments of other

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plaintiffs' counsel on these points may be insufficient because we have articulated a somewhat differed fraud on the court standard than Designated Counsel and can address those differences should they become pertinent, and Designated Counsel did not join the Groman Plaintiffs' submission of Disputed Facts.

Because I will be abroad on the dates that the Court has scheduled oral argument, my co-counsel, Alexander H. Schmidt of Wolf Haldenstein, would address the Court on behalf of the Groman Plaintiffs.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Jonathan L. Flaxer

Jonathan L. Flaxer

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